



You Are Why We Are Here

**FRANKLIN COUNTY
BOARD OF COMMISSIONERS
WORK SESSION MINUTES
August 28, 2018
6:00 P.M.**

BOC: Chairman Thomas Bridges
District 2 Commissioner Dr. Jason Macomson
District 3 Commissioner Jeff Jacques
District 4 Commissioner Eddie Wester

Absent: District 1 Commissioner Robert Franklin

Media: Shane Scoggins, Franklin County Citizen

Staff: County Manager Beth Thomas
County Clerk Elaine Evans

Item 1: Call Meeting to Order – Chairman Bridges called the August work session to order and welcomed everyone.

Item 2: Invocation and Pledge of Allegiance – Commissioner Jacques gave the invocation and led the pledge of allegiance to the American flag.

Item 3: Items for discussion:

A. Public Comment

There was no public comment.

B. Cash Bail

Chairman Bridges asked Kyle Brown to come forward and speak about the cash bail item. Mr. Brown said the lady who will be giving the presentation is running late and asked this to be postponed until she arrives. Chairman Bridges said items B and C will be rotated.

C. Charlie Chase

Chairman Bridges asked Charlie Chase to come forward to speak. Mr. Chase said he is a bail bondsman in the State of Georgia and also sits on the professional agency of the United States Board of Directors. He asked that he be allowed to hear the cash bail presentation before responding. Chairman Bridges said both items would be postponed until after the department presentations.



You Are Why We Are Here

D. Presentations

Coroner – Scott O'Barr stated he is the elected coroner for Franklin County and gave information on his background. He is a lifelong resident of Franklin County and a graduate of Franklin County High School. After graduating high school, Mr. O'Barr became a volunteer firefighter. Because of his involvement as a volunteer firefighter Mr. O'Barr made the decision to go to school to become an EMT and later earned his paramedic license. In addition to the coroner position Mr. O'Barr is also a full-time paramedic for Franklin County.

Mr. O'Barr said around 2005 he acted as a witness for Chief Deputy Coroner Kenny Smith when Mr. Smith informed a family of the loss of one of their members. After watching Mr. Smith help the family he decided to become involved with the coroner's office. In 2007 Mr. O'Barr became a Deputy Coroner under Coroner David Pressley and worked over 100 death investigations. In 2016 Mr. O'Barr was elected coroner after the retirement of Mr. Pressley. After his election Mr. O'Barr hired Clayton Bryant as his Deputy Coroner. Mr. Bryant is a volunteer firefighter with the City of Carnesville and is employed full-time with Ginn Funeral Home.

Forty hours of training is required whether the coroner is elected or appointed. Mr. O'Barr said most of the training is related to law and what the coroner is legally able to do such as going into homes and what can be searched or seized. The Coroner works closely with the Sheriff's office, police departments and many other law enforcement agencies and is always involved in unexpected deaths. The Coroner is not involved in deaths that occur under the care of a physician or hospice unless there is an accident or traumatic injury. Mr. O'Barr said the main job of the Coroner and/or Deputy Coroner is to determine cause and manner of death. Cause of death is defined as why the person died. Manner of death is one of five choices; natural, accidental, homicide, suicide or undetermined.

Mr. O'Barr said if the Coroner is not able to determine the manner of death the body is usually sent to the State of Georgia Crime Lab in Atlanta for an autopsy even if a crime has not occurred. The State of Georgia Crime Lab has to be called to deaths that occur at work, anyone under the age of 18, traumatic injury, homicide or suicide. Not all cases are accepted by the Crime Lab but most are. After the manner of death is determined the Coroner works with the funeral homes to issue a death certificate.

The budget established for the Coroner's office takes care of salaries, required training, supplies and body transports to and from the Crime Lab. The training requirement for the Coroner is 24 continuing education hours each year. Mr. O'Barr said Franklin County is also part of the Georgia Coroner's Association which would help in the event of a mass casualty situation. A future need to be considered in the budget is for a larger body cooler and a place to store it instead of relying on the local hospital. Mr. O'Barr stated if the cooler was located on County property the chain of custody would be better maintained which is especially important for homicide cases.



You Are Why We Are Here

Mr. O'Barr said there has been a rise of indigent deaths, where the family states they do not have the money to take care of the deceased. At some point Mr. O'Barr said he would like for the County to establish a policy for the indigent deaths. If the body is sent to the crime lab the judge will not sign a cremation order until a cause of death is determined and sometimes due to this bodies have to stay an extended period in the cooler. Mr. O'Barr said he and Mr. Bryant work to maintain the dignity and respect of the deceased.

Extension – Raymond Fitzpatrick came forward and thanked the Commissioners for the opportunity to speak without asking for money. Last year 1,100 site visits were performed and most of them were for farms. Mr. Fitzpatrick said 18 adult programs were done last year with the attendance ranging from five to 75. One of the programs was the Georgia Master's Cattleman with 35 people who committed for eight weeks to become better cattle producers. Mr. Fitzpatrick said this was a good program as the number of cattle in Franklin County is higher than the number of people.

Mr. Fitzpatrick said one of the things done in the local Extension offices is on farm research which impacts the local producers. He said he has been working on a horn fly research project for several years that shows the effects on cattle and testing treatments are studied each week. Soybean variety trials are being studied for yield with all of them being planted in the same field. About 2,500 samples of soil, hay and chicken litter have been done this year.

The 4-H program assistant terminated her employment before the beginning of summer therefore Mr. Fitzpatrick assumed those duties with the camps for the children. Applications are being accepted for an agent instead of an assistant with an increase in the budget from the Board of Education and UGA. He said this position is changing from an educator to an agent.

Recreation – There was no one in attendance.

Senior Center – Rachel Wilson said she is excited to be in Franklin County as she has had a lifelong love for older citizens and has always had a desire to work with them. The goal of the Senior Center is to keep seniors healthy, active and in their homes as long as possible. A hot healthy meal is provided daily for the seniors as well as activities including arts and crafts, Bingo, exercise, singing and educational programs. Birthdays are also celebrated monthly. Ms. Wilson said the "Pie in the Face" contest generated over \$1,000 for the arts and crafts activities and the plan is to make this an annual event.

Ms. Wilson stated over 100 congregate meals are served each week. Meals are also provided for home bound elders through the Meals on Wheels program which serves approximately 80 people each day, Monday through Friday. Some of the Meals on Wheels people also receive frozen meals for the weekend. Ms. Wilson said the van that was approved by the Commissioners has been a great asset in delivering the meals.



You Are Why We Are Here

The van also is used take the seniors on monthly trips which are planned with input from the participants. Some of recent trips have been to Old Stage Farm in Rabun County, Mark of the Potter in Habersham County, the movies at Banks Crossing, the Varsity in Athens and shopping at Hambrick's in Anderson. Van capacity was exceeded on the trip to Old Stage Farm and both vans were used. Ms. Wilson said the next trip is to the new Chick-Fil-A in Lavonia. Appreciation was expressed for the new van and for the renovations at the Senior Center.

Franklin County contracts with Legacy Link out of Oakwood, GA and receives federal, state and local dollars for operations of the Senior Center. Ms. Wilson said this past year, the "Mom and Dad" grant was received and was used to provide the seniors with a big screen tv and a computer. Talk is beginning with North Georgia Technical College to provide computer classes at the Center for the seniors. Plans are also being made for Georgia Cares to visit with the clients about Medicare benefits for open enrollment. A farmer's market sponsored by Legacy Link was also held for the seniors with great participation.

Ms. Wilson expressed her thanks to her staff, the county manager, volunteers and the Commissioners for the services at the Senior Center. She stated without the volunteers the program would not be successful. New volunteers and new participants are always welcome at the Center. Ms. Wilson also thanked Shane Scoggins and his staff at the Franklin County Citizen for their coverage of the Center with pictures of the activities. She said seniors have so much to offer with their wisdom and experience.

Item B revisited – *Tiffany Roberts of the Southern Center for Human Rights came forward to speak. She apologized for her lateness but stated she was caught in three accidents on her way from Atlanta. Written material was given to the Commissioners on Cash Bail reform and Senate Bill 407 which passed in the last session. Information was also given on Walker versus the City of Calhoun.*

Ms. Roberts said the City of Atlanta recently passed a cash bail reform ordinance which is only relevant to the municipal code. This was passed with help from the Southern Center for Human Rights. The ordinance requires that people arrested under the municipal code be booked and released with the exception of domestic violence charges, other violent charges, DUI or anyone incompetent to be released on their own. This was passed by the City of Atlanta in February 2018 and became effective on March 1. The ordinance requires the jailer and city council present on the effectiveness of the ordinance. Ms. Roberts stated the things that will be looked at are if the people released on signature bonds have reoffended, the rate of reoffences and if the population of the jail dropped.

The jail in the City of Atlanta was built in preparation of the 1996 Olympics. Ms. Roberts said it is never full and has become a drain on the finances of the city. The cash bail reform in the City of Atlanta was for this financial burden. Ms. Roberts said since this reform the population of the jail has dropped.



You Are Why We Are Here

Ms. Roberts said Senate Bill 407 was the result of statewide reform efforts for the cash bail system. The ordinance codified what the constitution already required and placed language from appellate cases with requirements for people who are arrested. Ms. Roberts stated before the passing of Senate Bill 407 all officers could do was arrest people for any offence, even misdemeanor ones. She said Senate Bill 407 allows people to be released on citation for misdemeanor charges after being fingerprinted including for theft by shoplifting and refund fraud if the switch was done in the presence of someone else. Ms. Roberts said Senate Bill 407 also required a new citation be drafted so officers would understand the offenses for citation and the offenses to put someone in jail. Language was also placed in this to use the least restrictive conditions. It is also based on a person's ability to pay.

Dr. Macomson questioned when this bill passed. Ms. Roberts said it passed this year on the last day. Commissioner Jacques asked if this presentation was for informational purposes or if there is a specific request she is petitioning the County for. Ms. Roberts said she was asked by the Libertarian Party of Georgia to come to Franklin County.

Item C revisited – *Charlie Chase presented information by handouts to the Commissioners. He said secured bail is by accountability to the court system and more specifically to the taxpayers of the county. In answer to the Walker versus City of Calhoun referenced by Ms. Roberts, Mr. Chase said the failure to appear rate has gone up by 150%. When a defendant fails to appear, the judge can issue a bench warrant. In the absence of secured bond, the bench warrant goes back to the Sheriff. The Sheriff has a mandate to serve the bench warrant and with this will have to hire additional deputies to serve the warrants and the cost will be passed along to the taxpayers. Mr. Chase said unsecured bail does not work, if there is no incentive to come to court then people will not come to court.*

Mr. Chase explained that secured bail does not always mean there is a bond. A family member can put up property, cash can be paid or the services of a bail bondsman can be used. He said the people who do not like secured bail present this as crime should be based on your ability to pay for it. A crime victim is a crime victim regardless of the income level. Mr. Chase said if a person claims indigency they can commit crimes and have no accountability under this system. He stated in the City of Atlanta if he shoplifts the only thing he has to worry about is a citation. He can shoplift as much as wants and will only receive a citation until he fails to appear, then there is a bench warrant for him. Mr. Chase said the City of Atlanta has a 50-mile extradition and as long as he stays 50 miles away from the City of Atlanta no one will come to get him even if he is arrested by another agency. He said this is a direct threat to the taxpayers.

E. E911 Resolution

Chairman Bridges asked Mrs. Thomas to go over the E911 resolution. Mrs. Thomas said House Bill 751 was passed during this legislative session which created the Georgia Emergency Communications Authority. Because of this passage, counties



You Are Why We Are Here

have to revise their E911 resolutions. The current resolution has \$1.50 on landlines, wireless and pre-paid. Mrs. Thomas asked the Commissioners to review the draft resolution and approve at the September regular meeting. This revised resolution will replace the existing resolutions and will become effective January 1, 2019.

Mrs. Thomas said the telephone companies will pay the Georgia Emergency Communications Authority instead of paying the counties directly. The payments will be processed and then remitted to the counties. Chairman Bridges asked the Commissioners to review this and be ready to act at the September regular meeting. Commissioner Jacques questioned if the reduction from last year will be covered in this. Mrs. Thomas said no, the pre-paid will still go the Department of Revenue before disbursement for the counties. She said everybody has cell phones and she does not understand why 911 collections have gone down. The hope is this new authority will be able to audit the collections and increase the revenue.

F. ACCG Representative

Chairman Bridges said each year ACCG asks each county to have a representative for voting on legislative issues. He said he has been serving in this position but is willing to let anyone else serve if they are interested. Commissioner Jacques told Chairman Bridges he does an excellent job of keeping the Board informed and he greatly appreciates his willingness to continue to serve. Commissioner Wester and Dr. Macomson agreed. Chairman Bridges said he enjoys getting in there and letting ACCG know the wishes of Franklin County.

G. Manager's Report

Mrs. Thomas said the pre-construction meeting on Contract 2 of the sewer project took place this past week and the sewer project is running ahead of schedule. She said she spoke with USDA about releasing the financing as the County is close to spending all the pledged funds.

As of this afternoon Mrs. Thomas was informed there have been two resignations from the Recreation Board. These positions will be advertised and the applications from the past year will also be reviewed. Mrs. Thomas said the Recreation Board still have enough for a quorum and can still operate. Dr. Macomson asked who had resigned. Mrs. Thomas said Mr. Mayfield and Mr. Faircloth. Chairman Bridges said one month is enough time to get the news out. Mrs. Thomas said the position will be advertised through September 25 at 5 p.m.

Mrs. Thomas said there is an increase in questions and phone calls for planning and zoning. She said growth is coming and the building permits have also increased.

The work session date for December falls on Christmas Day. Mrs. Thomas asked the Commissioners to look at their schedules and decide how the planning session should



You Are Why We Are Here

be scheduled. She also asked the Commissioners if they would like to have an out of county retreat or continue with the way things have been.

Mrs. Thomas said the new van for the Senior Center is at capacity. The second van in use does not need to be taken out of the County. Mrs. Thomas said 4-H is also in need of a van. She said she would look at the finances and her suggestion are for the Senior Center and 4-H to share the usage of a van. The proposal will be given to the Commissioners as soon as the information is completed.

H. Announcements

Chairman Bridges thanked Ms. Wilson, Mr. O'Barr and Mr. Fitzpatrick for coming before the Board with their presentations and thanked them for the job they do for Franklin County. He then announced that Frank Ginn has resigned from the Industrial Building Authority and Franklin County wishes him brighter days ahead.

Chairman Bridges adjourned the work session at 7:08 p.m.

Signed on the _____ day of _____, 2018

Chairman J. Thomas Bridges

Robert L. Franklin, District 1 Commissioner

Dr. Jason Macomson, District 2 Commissioner

Jeff Jacques, District 3 Commissioner

Eddie Wester, District 4 Commissioner

Elaine H. Evans, County Clerk